IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

W.P. No. 971 (M/B/2003

Jaiprakash Industries Ltd. through
Its Director Sri Rakesh Sharma …… Petitioner

Vs.
State of Uttaranchal and others ……Respondents.

Sri V.K. Kohli, Advocate for petitioner..
Sri U.K. Uniyal, Advocate for respondent No.4.
Sri N.B. Tiwari, Standing Counsel for respondents.

Coram: Hon. Irshad Hussain, J.
Hon. M.M. Ghildiyal, J.

Date: 17-10-2003.

PC:

Heard Sri V.K. Kohli learned counsel for petitioner, Sri U.K.Uniyal for respondent No.4 and Sri N.B. Tiwari Leard. Chief Standing counsel for other respondents.

The petitioner is the contractor carrying on the work of Tehri Dam which is a project of vital importance to the nation. It is alleged that the work is at the verge of completion but some outsider undesirable elements in connivance with some other members of the worker unions are causing hindrance in the execution of the work of the contractor. In the past also the contractor faced similar difficulty and the writ petition No. 557 (M/B)/2001 was then filed. An interim order was passed in that petition but it was finally disposed of with direction that hindrance should be stopped for smooth execution of the work by the authorities. Now fresh cause of action arose that undesirable elements in connivance with some other worker unions are causing hindrance in the execution of work whereby the petitioner also made representation/application to the district authorities which are Annexure 10 to 12 to the petition.

Considering the importance of the project which is at the verge of the completion the respondents 1 to 3 are directed to see that no hindrance in the peaceful execution of the work is created by the alleged undesirable elements in connivance with some workers of the

union in the light of the representation referred above submitted by the petitioner. To implement the same necessary police protection if and when required may be provided so that the work may be peacefully undertaken.

With this direction the petition is finally disposed of.

(Hon. M.M. Ghildiyal, J.) (Hon. Irshad Hussain, J.)

ISB